



MINISTRY OF FINANCE AND THE PUBLIC SERVICE

REVENUE PROTECTION DIVISION LEGAL ASSISTANT

TERMS OF REFERENCE

BACKGROUND

The Revenue Protection Department (RPD) was established under section 6 of the Revenue Administration Act as a department of Government with the very critical responsibility to:

1. Carry out investigations into cases involving fraud against the revenue,
2. Institute programmes for the detection of fraud against the laws relating to revenue and ensure that such programmes are implemented, and
3. Provide assistance to the other revenue departments in the planning and conduct of investigations in relation to offences against the laws relating to revenue

Since it was established, the RPD has undergone several organizational changes, including functioning from 2004 to 2008 as a part of the Financial Investigations Division. In 2008 the RPD was re-established by Cabinet as a separate division with authority to investigate fraud in the revenue, minimize corruption in the revenue services and overall to protect the revenue of the Government of Jamaica.

The re-establishment of the RPD occurred within the context of fiscal constraint and tax reform to, among other things, improve compliance and meet the demands of the Budget. This is particularly in light of the fact that Jamaica's low tax compliance rate has been found to result from loopholes within the system, fraud, and corruption in the revenue services.

In order for the RPD to be effective in carrying out its functions, the Division requires an adequate staff structure to examine and review over 25 pieces of revenue legislation, make recommendations in relation to the improvement of systems and procedures in Tax Administration Jamaica and Jamaica Customs Agency, and investigate and prosecute cases involving fraud and corruption at these and other entities.

OBJECTIVE OF THE CONSULTANCY

The individual, under the direct supervision of the Legal Specialist, will carry out a range of legal support and administrative functions of the Division. This involves assisting in the conduct of legal and factual research to support legal opinions and proceedings and with the preparation of documents necessary to ensure that the Division performs its functions in an efficient, effective, and lawful manner.

SCOPE OF WORK

UNDER THE DIRECTION AND GUIDANCE OF THE LEGAL SPECIALIST THE LEGAL ASSISTANT WILL:

Provide legal research services to support the work of the Division. In undertaking this function the individual will:

- Prepare written reports and other correspondence;
- Perform legal and factual research;
- Conduct records search;
- Assist with gathering and analyzing research data, such as statute decisions and legal articles, codes and documents;
- Provide information to facilitate preparation of legal opinions, briefs and papers;
- Organise and analyse information;
- Identify required legal data and liaise with relevant data sources to facilitate collection;
- Provide statistical data and information to support the Division;
- Utilize relevant research methods to collect information;

Provide efficient and effective legal administrative support to the Legal work of the Division and serve as a central point of liaison with other departments and external authorities. In carrying out this function the individual will:

- Check and edit legal forms and documents for accuracy;
- Co-ordinate law office activities such as subpoena delivery;
- Locate witnesses;
- Assist the lawyer in the courtroom;
- Ensure that persons are briefed and debriefed as it relates to court requirements;
- Assist with trial preparation including witness lists, exhibits and trial binders;
- Witnesses identified and advised of court attendance and other requirements;
- Provide supporting documents and affidavits;
- Organize and track case files;
- Assist with the preparation of case files;
- Prepare correspondence requesting the gazetting of legal notices and instruments;
- Draft or vet the notices, orders or other legal information to be gazetted;
- Assist in preparing legal documents, including briefs, appeals, contracts and other legal documentation;
- Liaise with the Attorney General's Chambers, Office of The Director of Public Prosecutions and other legal departments and stakeholders regarding legal matters/issues;
- Maintain court diary;
- Maintain legal reference files;
- Prepare monthly and quarterly reports;
- Receive and respond to telephone messages and forward same to the appropriate officers if unable to handle;
- Prepare draft responses to requests for information within the purview of the Division;

- Design and maintain statistical database(s) to facilitate analysis and planning of legal matters for the Division;
- Follow up on assigned files and provide assistance with the completion of files;
- Keep and monitor legal volume(s) to ensure law library is up-to-date;
- Perform any other related duties assigned.
- Create and maintain filing systems for legal and quasi-legal documents

DELIVERABLES

The individual will be required to provide annual workplans and monthly reports over the life of the contract. The table below outlines the requirements:

DELIVERABLE	DEFINITION	TIMELINE
Annual Work Plan	<p>The Workplan is the operational document for the legal assistant and is used to determine the required inputs for the development and delivery of the output of the legal assistant. As such the Workplan document must detail:</p> <ul style="list-style-type: none"> • Methodology for providing the key outputs of the consultancy • Resource required that are outside of the control of the legal assistant • Time line for the achievement of tasks associated with the consultant deliverables 	<p>The workplan will be developed for every 12 months of the legal assistant and will be revised based on consultation with the officer assigned to supervise the legal assistant</p>
Monthly Reports	<p>Each report will detail the progress of activities related to the assignment, highlighting issues, bottlenecks/constraints, adjustments and necessary resources for execution. The reports will also make recommendations and identify next steps for the following month.</p>	<p>Due at the end of each month</p>

REPORTING RELATIONSHIP

The legal assistant will report to the Legal Specialist in the Revenue Protection Division of the Ministry of Finance and the Public Service. He/She will be required to provide all deliverables to the officer and will be guided on the implementation of the project activities accordingly.

- Level of effort: Full time level of effort of Thirty Six (36) consecutive months will be required.
- Duration of contract: The Consultancy will begin February 2017 and will conclude in January 2020.

- Location: Jamaica
- Type of Consultancy: Individual Consultant
- Type of contract: Lump sum.

“Sign-off” Procedure

Legal Specialist in the Revenue Protection Division of the Ministry of Finance and the Public Service will have primary responsibility for signing off on all final deliverables. Deliverables will only be considered satisfactorily completed once they have received the final approval of the Principal Director, RPD.

Variations

All proposed changes to the work plan and deliverables must be discussed with the Principal Director, Revenue Protection Division (RPD).

QUALIFICATIONS & EXPERIENCE
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Associate degree in paralegal studies
 Two years related experience
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 Diploma in paralegal studies
 Three years related experience

SPECIFIC KNOWLEDGE & SKILLS

- Sound knowledge of Jamaica’s Civil and Criminal Laws and Procedures and in particular:
 - Constitutional and Administrative law
 - Revenue Laws
- Excellent legal research, investigative and analytical skills
- Good knowledge of legal principles and practices
- Good knowledge of legal terminology
- Good knowledge of legal communication principles and practices
- Awareness of government regulations and procedures
- Ability to think logically
- Ability to understand and follow instructions
- Competence in the use of computers
- Sound knowledge of court procedures (civil and criminal)
- Good oral and written communication skills

COMPETENCIES

- Teamwork
- Interpersonal Skills
- Analytical Ability
- Job Knowledge

- Initiative
- Excellent written and oral skills
- Critical thinking skills
- Good time management and organizational skills
- Attention to detail
- Confidentiality

EVALUATION MATRIX

<i>EVALUATION CRITERIA</i>	<i>Score</i>
<i>Qualifications and Experience</i>	30
• Associate Degree in Paralegal Studies	15
• 2 years related Experience	15
<i>OR</i>	
• Diploma in Paralegal Studies	15
• 3 years related Experience	15
<i>Specific Knowledge</i>	40
• Excellent legal research, investigative and analytical skills	10
• Good knowledge of legal principles and practices	10
• Good knowledge of legal terminology	5
• Sound knowledge of Jamaica’s Civil and Criminal Laws and Procedures	10
• Awareness of government regulations and procedures	5
<i>Competencies</i>	20
• Analytical Ability	5
• Excellent oral and written communication skills	5
• Initiative	5
• Good time management and organizational skills	2.5
• Good interpersonal skills	2.5
TOTAL	100